

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

| | | |
|---------------------|---|--------------------|
| OLIVER W. WILLIAMS, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| vs. |) | NO. CIV-08-1303-HE |
| |) | |
| MIKE MULLINS, |) | |
| |) | |
| Respondent. |) | |

ORDER

Petitioner Oliver W. Williams, a state prisoner appearing *pro se*, filed this action pursuant to 28 U.S.C. § 2254 seeking a writ of habeas corpus. Consistent with 28 U.S.C. § 636(b)(1)(B), the matter was referred to Magistrate Judge Bana Roberts who has recommended that the petition be dismissed pursuant to Rule 4, Rules Governing Section 2254 Cases. Petitioner, by failing to object to the Report and Recommendation, has waived his right to appellate review of the suggested dismissal. United States v. 2121 East 30th Street, 73 P.3d 1057, 1059-60 (10th Cir. 1996). After de novo review, the court concurs with the Magistrate Judge that petitioner is not entitled to habeas relief on any of the claims he raises.

Accordingly, the court **ADOPTS** the Report and Recommendation [Doc. #6]. The petition is **DISMISSED** without prejudice.

IT IS SO ORDERED.

Dated this 21 day of August, 2009.



JOE HEATON
UNITED STATES DISTRICT JUDGE